



Supreme Court of Wisconsin

BOARD OF BAR EXAMINERS
110 EAST MAIN STREET, SUITE 715
MADISON, WI 53703-3328
TELEPHONE: (608) 266-9760

INFORMATION AND FILING INSTRUCTIONS

2005 Wisconsin Bar Examinations (SCR 40.04)

Read this information carefully and retain it for future reference. All deadlines (filing, payment, ADA documentation, MBE transfers, refund requests) relate to date of receipt at the Board of Bar Examiners office during regular business hours (7:45 a.m.-4:30 p.m., Monday-Friday, except holidays). The deadlines noted below are certain; extensions will not be allowed. Postmark dates are not recognized. Facsimile transmissions are not accepted. An application is not filed until payment is received in the form of a signed check. **Retain a copy of the Applicant Questionnaire and Affidavit for future reference.**

February 2005

July 2005

Wed., Dec. 1, 2004	Deadline for filing application and \$400.00* fee by a signed check; if both are not submitted by this date, a \$200.00 late fee will be assessed.	Mon., May 2, 2005										
	Deadline for receipt of ADA forms necessary to support a request for special testing accommodations.											
Mon., Jan. 3, 2005	Final Deadline for filing application and \$600.00* fee.	Wed., June 1, 2005										
Tues, Feb. 1, 2005	Deadline for receipt of MBE scores transferred from other jurisdictions.	Fri., July 1, 2005										
	Deadline for withdrawing with \$150.00 refund. Request must be in writing.											
	Deadline for receipt of Application for Permission to Typewrite Exam (BE-173).											
Mon., Feb. 21, 2005	MANDATORY Examination Registration. A brief orientation program will be conducted at 4:00 p.m. <table><tr><td><u>February '05</u></td><td><u>July '05</u></td></tr><tr><td>1:00 - 4:00 p.m.</td><td>1:00 - 4:00 p.m.</td></tr><tr><td>The InnTowner</td><td>Marriott Madison West</td></tr><tr><td>2424 University Avenue</td><td>1313 John Q. Hammons Dr.</td></tr><tr><td>Madison, Wisconsin</td><td>Middleton, Wisconsin</td></tr></table>	<u>February '05</u>	<u>July '05</u>	1:00 - 4:00 p.m.	1:00 - 4:00 p.m.	The InnTowner	Marriott Madison West	2424 University Avenue	1313 John Q. Hammons Dr.	Madison, Wisconsin	Middleton, Wisconsin	Mon., July 25, 2005
<u>February '05</u>	<u>July '05</u>											
1:00 - 4:00 p.m.	1:00 - 4:00 p.m.											
The InnTowner	Marriott Madison West											
2424 University Avenue	1313 John Q. Hammons Dr.											
Madison, Wisconsin	Middleton, Wisconsin											
Tues., Feb. 22, 2005	Wisconsin Bar Examination (essay) 8:30 a.m. - 4:00 p.m. <table><tr><td><u>February '05 Site:</u></td><td><u>July '05 Site:</u></td></tr><tr><td>The InnTowner</td><td>Marriott Madison West</td></tr><tr><td>Madison, Wisconsin</td><td>Middleton, Wisconsin</td></tr></table>	<u>February '05 Site:</u>	<u>July '05 Site:</u>	The InnTowner	Marriott Madison West	Madison, Wisconsin	Middleton, Wisconsin	Tues., July 26, 2005				
<u>February '05 Site:</u>	<u>July '05 Site:</u>											
The InnTowner	Marriott Madison West											
Madison, Wisconsin	Middleton, Wisconsin											
Wed., Feb. 23, 2005	Wisconsin Bar Examination (MBE) 8:30 a.m. - 4:00 p.m.	Wed., July 27, 2005										
Wed., April 6, 2005	Tentative date for release of examination results.	Wed., Sept. 7, 2005										

*This figure represents the balance due after payment of the \$50.00 application fee.

FILING OF AN APPLICATION THE FOLLOWING ITEMS MUST BE RECEIVED AT THE BOARD OFFICE:

- (1) The Application Form (BE-001): **This original form must be typed and notarized.** Photocopies and other reproductions of the application will not be accepted. The necessity for thorough and accurate treatment cannot be overemphasized. It is an affidavit, and the Board will treat omissions and misrepresentations under its character and fitness rule, SCR 40.06.
- (2) Two notarized original unaltered authorization and release forms (BE-002).
- (3) Data Sheet (BE-003).
- (4) The Filing Fee: The applicable filing fee (see chart above) must be remitted by a signed check made payable to the Board of Bar Examiners.

SUBMISSION OF PROOFS

- (1) Note that all proofs, with the exception of the military discharge certificate, must be sent directly to the Board by the institution or agency. Facsimile transmission is not acceptable. Applicants should refrain from furnishing an addressed, stamped envelope to the institution, as this practice makes the origin of the documents unclear. If, however, certifying officials require that you supply a franked envelope, you should use a plain white envelope, with a U.S. postage stamp affixed to it, and ask that the office from which it is being mailed rubber stamp their name and address on the envelope across the seal flap, as well as on the front.
- (2) To be seated for the examination, one of the following items must be received in the Board office by 4:30 p.m. on the Thursday prior to registration: the final law school transcript or the Dean's Certificate. If you are a graduate of a non-ABA-approved law school and are otherwise eligible to sit for the examination, you must also arrange to have a good standing certificate sent directly to the Board, as noted under "Necessary Proofs" section marked with an asterisk (*). Applicants repeating the Wisconsin Bar Examination must have the Dean's Certificate, all transcripts, and a Good Standing Certificate (if required) received in the Board office by 4:30 p.m. on the Thursday prior to registration.
- (3) Prior to certification for admission, all proofs must be on file. The Board will close the file of any applicant whose proofs are not received within six months of being advised of a passing score on the test.
- (4) The Board will notify all applicants of missing proofs in writing at registration. Applicants are responsible for checking the status of their pending applications.

NECESSARY PROOFS/ALL APPLICANTS

- (1) Dean's Certificate (BE-171): Every applicant must arrange to have the dean of the law school conferring the J.D. provide a certificate of character and fitness. A form for this purpose is enclosed. The Dean's Certificate must be sent directly to the Board by the certifying official.
- (2) Transcripts: Every applicant must arrange to have all transcripts furnished directly to the Board by the educational institution.
 - (a) Undergraduate transcript: The Board requires a transcript from undergraduate schools (including College Level Examination Program (CLEP) examinations) that conferred a degree, including an associate degree. The Board may require transcripts from undergraduate schools attended but which conferred no degree. You will be notified if required.
 - (b) Law school transcripts: The Board requires a transcript from all law schools attended. A complete final transcript disclosing that the J.D. degree has been conferred must be received by the Board.
 - (c) Other transcripts: The Board requires a transcript from all schools attended after undergraduate degree was conferred, including other law schools you may have attended, summer schools, foreign study (including foreign exchange programs), technical schools, graduate schools, medical schools, etc.

- (3) Military Discharge Certificate: If you served in the Armed Forces, it will be necessary for you to provide the Board with a copy of your most recent DD-Form-214 (Report of Separation). If you served in the National Guard, provide your most recent NGB-Form 22.

NECESSARY PROOFS/THOSE APPLICANTS ALREADY ADMITTED TO PRACTICE LAW IN OTHER JURISDICTIONS

- *(1) Good Standing Certificate: Applicants admitted in other jurisdictions must arrange to have sent directly to the Board by each jurisdiction a current good standing certificate (dated no earlier than 11/1/04 for the February 2005 examination and dated no earlier than 4/1/05 for the July 2005 examination). This certificate must be issued by the Clerk of the highest court (normally the Supreme Court) in the admitting jurisdiction. Only original certificates are acceptable. (see also Submission of Proofs, (2)).
- (2) Disciplinary History Letter: Applicants admitted in other jurisdictions are required to have the bar disciplinary agency in each jurisdiction submit directly to the Board a letter that sets forth the applicant's disciplinary history, including the disposition of all complaints filed against the applicant. The letter must be dated no earlier than 11/1/04 for the February 2005 examination and dated no earlier than 4/1/05 for the July 2005 examination.

Note: Applicants admitted to practice in another jurisdiction after 11/1/04 (2/05 WBE) or 4/1/05 (7/05 WBE) are not required to supply a good standing certificate or a disciplinary history letter. This exception does not apply to graduates of non-ABA approved law schools.

Because a high volume of applicants are also licensed in the following jurisdictions, addresses are supplied to assist in locating the proper agencies for good standing certificates (GSC) and disciplinary history letters (DHL).

CA	GSC	Clerk of the Supreme Court, 350 McAllister Street, Rm. 1295, San Francisco, CA 94102
	DHL	State Bar of California, 180 Howard Street, San Francisco, CA 94105; specify "Good Standing Certificate including disciplinary history"
IL	GSC	Clerk of the Supreme Court, Supreme Court Building, Springfield, IL 62701
	DHL	Attorney Registration and Disciplinary Commission, One Prudential Plaza, Suite 1500, 130 East Randolph Drive, Chicago, IL 60601
MI	GSC	Michigan Supreme Court Clerk's Office, P.O. Box 30052, Lansing, MI 48909
	DHL	Attorney Grievance Commission, Marquette Building, Suite 256, 243 West Congress, Detroit, MI 48226
MN	GSC	Supreme Court Administrator, Minnesota Judicial Center, Room 305, 25 Constitution Avenue, St. Paul, MN 55155
	DHL	Lawyers Professional Responsibility, 1500 Landmark Towers, 345 St. Peter Street, St. Paul, MN 55102-1218
NY	GSC	Contact the agencies in each appellate division in which you are admitted.
	DHL	Contact the agencies in each appellate division in which you are admitted.

Applicants Repeating the Examination

Transcripts and the Dean's Certificate (and a current good standing certificate for non-ABA graduates) must be on file before an applicant will be permitted to take the bar examination a second time. If these are already on file, they need not be resubmitted, except for the current good standing certificate.

Applicants who have failed the Wisconsin Bar Examination three times are not eligible to write the examination a fourth time unless special permission is given by the Board pursuant to BA 4.01.

Special Testing Accommodations for Disabled Applicants

The Board makes reasonable accommodations for testing disabled applicants. The test facility is accessible for persons with mobility restrictions. Applicants who have other special testing needs should be aware that the required Board request forms (enclosed), and supporting documentation, must be received in the Board office **no later** than the first filing deadlines: 12/1/04 (2/05 WBE) or 5/2/05 (7/05 WBE). Facsimile transmissions are not accepted.

Avoiding Delay in the Application Process

To expedite the processing of your application, use care in completing it. Applications that are carelessly or incompletely prepared cause delays in processing. Account for any gaps as instructed on the application itself.

Notify all references and past employers that their prompt responses to inquiries would be helpful. Select as character references (Question 34) persons who have known you no less than one year and who are familiar with your character and fitness.

Amendment to Application

All applicants are reminded of their continuing obligation to update pending applications. Applicants wishing to augment or alter entries to the application affidavit, including name changes, are advised to execute amendment form BE-010 provided. Changes of address and telephone number must be submitted in writing, signed and dated, need not be submitted on the amendment affidavit, but should be submitted on Change of Address Notification form BE-009. Facsimile transmissions are not accepted.

Name Changes

If you change your name for any reason during the pendency of your application for admission to the Wisconsin bar, you must execute an amendment form BE-010, setting forth your former and present names, the reason for the change, the effective date of the change, and attach any relevant documents, such as a marriage license, etc.

Multistate Bar Examination Transfer Policy

The Board will accept in transfer a scaled MBE score of 145 or better if the score is no more than thirty-seven months old at the time of the Wisconsin Bar Examination and if the score was obtained as part of a successful bar examination in another jurisdiction that was taken no more than 60 days before the J.D. was conferred. (Most applicants will have completed the J.D.) Acceptance of the transferred MBE has the effect of waiving that portion of the Wisconsin Bar Examination. To request transfer of your MBE score, send the MBE REQUEST & RELEASE FORM (BE-172) in this packet per the instructions on the form. Refer to page one of these instructions for MBE transfer deadlines.

Typing of Examination

Applicants who wish to type the examination must request the permission of the Board to do so on the separate form (BE-173) in the application packet for that purpose. The form should be returned to the Board with your application and fees. The deadline for receipt of the form is: 2/1/05 (2/05 WBE) or 7/1/05 (7/05 WBE). Typewriters and extension cords must be provided by the examinee. The Board does not permit the use of machines with word-processing capability. The Board reserves the right to decline to grant permission to type the examination.

Material to be Tested

Eight essay questions will be drawn from the following subject areas. Questions may be designed to incorporate more than one subject area. The Board will not provide additional interpretation or definition of the topic areas to be covered.

Business Organizations (Corporations, Partnerships, Associations and Sole Proprietorships)	Evidence
Civil Procedure (Pleading and Practice, and Jurisdiction of Courts)	Family Law (Domestic Relations)
Commercial Law (including Sales and Secured Transactions; excluding Commercial Paper)	Professional Responsibility (Ethics and Legal Responsibilities of the Profession)
Constitutional Law (Federal)	Property (includes Real Estate)
Contracts	Taxation (Federal)
Criminal Law & Procedure	Torts
	Trusts & Estates

The Multistate Bar Examination (MBE) tests on six subject areas: Constitutional Law, Contracts, Criminal Law, Evidence, Real Property, and Torts.

Preparation for the Examination

There is no official bar review course for applicants. The Board does not endorse any such course and will not act as a clearinghouse for bar review information. Many individuals find that their own law school texts and notes provide an ample basis for preparation when combined with a review of recent Wisconsin case law and relevant Wisconsin statutes.

Applicants may purchase past Wisconsin bar essay examinations from the Board. You may obtain questions and answers from one or more of the most recent five exams, at a charge of \$10.00 per exam, by sending your request for the number of exams you wish to purchase (1, 2, 3, 4 or 5) to the Board with your check for the appropriate amount (\$10.00, \$20.00, \$30.00, \$40.00 or \$50.00) payable to the Board of Bar Examiners. MBE study materials are available through the National Conference of Bar Examiners in Madison or from many law school bookstores.

Withdrawal from Examination

If you wish to withdraw from the examination, it will be necessary for you to submit a written request setting forth the reasons. If received by the final filing deadline, you will be issued a \$150.00 refund. If you fail to appear without withdrawing, you will be recorded as a 'no show' and no refund will be granted.

Passing Score

The Board has established the following criteria for passing: an applicant must obtain minimally competent scores on five of the eight essay questions. The essay score is scaled to the MBE score, expressing the essay score on the MBE scale, and a total of 258 points (essay plus MBE) is required for passing, of which no less than 129 points must be earned on the essay portion. The grading method employed by the Board is described as follows.

Grading of the Wisconsin Bar Examination

The Wisconsin Bar Examination is given in two parts, both of which count equally in the admissions decision. The essay is comprised of eight questions that are administered in two three-hour sessions on Tuesday. The questions are drawn from a list published by the Board of Bar Examiners annually, and are developed through an editorial process after being submitted by law faculty from around the United States. Often questions incorporate more than one subject area. Questions are not labeled by subject area when the test is administered.

The eight essay questions are graded using a multiple-grader approach. A team of two graders is responsible for grading all responses to Question 1, for example. (This means that 16 graders participate in the grading process.) The Board has devised a process for calibrating the two graders so that the criteria for grading the question are as objective as possible given the subjectivity that is a factor in the grading of an essay question.

Once the graders have successfully completed a calibration exercise and clarified and articulated their grading standards, the grading proceeds with each grader grading roughly one half of the answers to a test question. During this process, the grader assigns a raw score to each answer that reflects the relationship of the applicant's response to the point on the grading scale that the team has identified as minimally competent. On a raw scoring basis, this score is expressed as 7.5. A minimally-competent raw score grade of 7.5 must be earned on five of the eight essay questions to meet one of the two criteria for passing the essay exam. Grades are given in increments of 0.5 and range from 6.0 to 10.0 where an answer has been genuinely attempted. (The Board gives lower marks in rare instances.) *This grading scale is subject to Board review and may change.*

Any answer to which a grade below the raw passing point of 7.5 is assigned is re-graded as a final step in the process to assure that grading consistency has been upheld throughout the grading session. The re-grading is carried out by the original grader, who may or may not consult with his or her grading partner in assigning the final mark. The eight raw scores (one for each of the eight questions) are then standardized through a process that mathematically assures that all eight essay questions will have an equal impact on the outcome of the test. As a result of this process, all essay scores have an equal (that is, a 12.5%) impact. The standardization process eliminates the unwanted influence

of two inseparable factors on the essay raw scores: the impact of a hard or easy question and the impact of a hard or easy team of graders. The eight standardized essay scores are then added and the sum becomes the standardized essay total score.

Standardization yields essay grades that reflect the proper rank-ordering of candidates. A final step in the process is the scaling of the essay scores to the Multistate Bar Examination scaled scores. The reason for taking this step is to use to advantage the fact that the MBE is graded in a way that equates the scores from one administration of the MBE to its predecessors. The effect of this procedure is to offer a consistent standard that a one-time essay test cannot because, once used, the elements in the essay cannot be reused in future years to judge the difficulty of one essay test against prior essay tests.

The standardized essay score is then expressed on the MBE scale using the standard deviation method. The pass-fail line is currently set at 129 by the Board. The Board requires a minimum score of 129 on the essay portion and an overall score of at least 258. The Board does not round scores once the scaling of the essay to the MBE has been accomplished. A minimally-competent raw score grade of 7.5 must be earned on five of the eight essay questions.

Applicants who elect to sit for only the essay portion of the examination by virtue of an acceptable MBE transfer score are required to achieve an essay score of 129 (expressed on the MBE scale) in order to pass the Wisconsin Bar Examination. A minimally-competent raw score grade of 7.5 must be earned on five of the eight essay questions.

The Board reviews its scoring policy on an annual basis. The basic policy described above was adopted for calendar 1989 by the Board at its October 7, 1988, meeting and has continued with revisions up to the present. It reflects a continuation of policy in effect during calendar 1987 and 1988 that was developed by the Board in consultation with testing specialists. It has subsequently been refined and elaborated by consultation with the same specialists, and was revised in 1999 to require passage of five of the eight essay questions.

Hotel Information

The February 2005 administration of the examination will be held at the InnTowner, a Best Western hotel just west of the University of Wisconsin campus in Madison. A block of sleeping rooms will be held by the hotel until January 21 2005, at the rate of \$84 single/double under the group code "BBE05." To book a room, contact the hotel directly at (608) 233-8778.

The July 2005 administration of the examination will be held at the Marriott Madison West in Middleton, just west of Madison. A block of sleeping rooms will be held by the hotel until June 24 2005, at the rate of \$114 single/double, under the group name "Wisconsin Board of Bar Examiners." (NOTE: rates subject to change.) To book a room, contact the hotel directly at (608) 831-2000.

Maps, listings for other hotels, and additional test information will be mailed to each registrant about three weeks prior to the examinations for which he or she has registered.

Registration

Registration is mandatory. Applicants who fail to attend Monday's registration should not expect to be permitted to sit for the bar examination. At mandatory registration, you will be asked to present two current and valid forms of identification bearing your signature. One must include a photograph. One must be either a driver's license, a state-issued photo ID card, or a passport. The identification you present must show the name under which you have applied to take the bar examination. If you have changed your name, both forms of identification must show your new name.

Additional Information

The authorization and release forms you submit to the Board may be used to confirm information contained in your application.

Applicants are responsible for checking the status of their pending application and will only be notified by the Board in writing when they are certified. The Board will communicate its actions, as well as your bar examination results, in writing to you at the last address you provided the Board in writing.

The provision of your social security number is voluntary, pursuant to the Federal Privacy Act of 1974. Providing your social security number assists in expediting the character review process. Your social security number will be used for purposes of investigation and verification, so as to avoid errors of identity which might introduce problems and delays into the certification and licensure process. Your file is confidential (SCR 40.12). Therefore, the Board and its staff will discuss the contents of an application only with the applicant.

Release of Information

The Board takes SCR 40.12, the confidentiality rule seriously, and will not discuss your file with relatives, employers, or anyone else. The Board will, however, release to the Dean of your law school, your pass/fail status on the bar examination.

Character and Fitness Screening

The Board specifically directs applicants to review the attached SCR 40.06 and SCR 40.07. Pursuant to SCR 22.29, the Board may refer questions of character and fitness to the Office of Lawyer Regulation. Additional fees may be assessed of the applicant by that agency.

Copies of Applications

A copy of your application and amendments is available upon a written request. A fee of \$10 will be charged for a plain copy, \$12 for a certified copy.

Enclosures: SCR Chapter 40 and Board Rules
Applicant Questionnaire and Affidavit (BE-001)
Special Testing Accommodation Information and Forms (BE-180 through BE-186)
Dean's Certificate (BE-171)
MBE Request & Release Form (BE-172)
Application to Type Examination (BE-173)
Notice of Medical Alert form (BE-174)
Authorization and Release -Two (BE-002)
Data Sheet (BE-003)
Medical or Substance Abuse Condition or Impairment (BE-004)
Debts form (BE-005)
Military Service form (BE-006)
Traffic Violations form (BE-007)
Law Violations form (BE-008)
Change of Address Notification (BE-009)
Amendment to Application (BE-010)
Application Acknowledgment Card